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United States Attorney

2 BRIAN J. STRETCH (CASBN 163973)  
3 Chief, Criminal Division

4 KIMBERLY M. BRIGGS (CASBN 132043)  
Assistant United States Attorney

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8 Attorneys for the Plaintiff

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND BRANCH

12 UNITED STATES OF AMERICA,	)	No. CR-07-00409-SBA
13	)	
14 Plaintiff,	)	
15 v.	)	STIPULATION AND [PROPOSED]
16	)	ORDER TO CONTINUE STATUS
17 JOEL SANCHEZ, ALFREDO SANCHEZ,	)	HEARING MAY 28, 2008 TO
and HECTOR REYNOSO,	)	JUNE 24, 2008
18 Defendants.	)	
19	)	

20 It is hereby stipulated, by and between the parties that the status hearing set for May 28,  
21 2008 be vacated and that the matter be set for a status hearing on June 24, 2008 at 9:00 am.

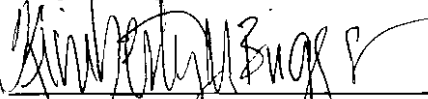
22 It is also stipulated that the period from May 28, 2008 to June 24, 2008, shall be excluded  
23 from the calculation of time in which the trial of the above captioned matter must commence  
24 pursuant to the Speedy Trial Act, Title 18 U.S.C. Section 3161(c). The parties stipulate that the  
25 time is excludable from the time limitations of the Speedy Trial Act because the  
26 interests of justice served by granting a continuance.

1 Such continuance is required because a defendant was just added to the indictment and  
2 defense counsel needs an opportunity to review the discovery and determine if any motions  
3 should be filed. This continuance is allowed under Title 18, U.S.C. 3161(h)(7) and  
4 (8)(A)&(B)(iv) to allow a reasonable period of delay when a new defendant is joined for trial,  
5 and to allow for the reasonable time necessary for effective preparation of the case.

6 As such, the parties respectfully request that the status hearing set for May 28, 2008 be  
7 vacated and the matter be continued to June 24, 2008 at 9:00 a.m. for a status hearing.

8  
9 DATED: May 28, 2008

Respectfully submitted,

10   
11 \_\_\_\_\_  
12 KIMBERLY M. BRIGGS  
Assistant United States Attorney

13 DATED: May 28, 2008

14 \_\_\_\_\_  
EDWARD G. DUREE  
Attorney for Joel Sanchez

15 DATED: May 28, 2008

16 \_\_\_\_\_  
ROBERT L. FORKNER  
Attorney for Alfredo Sanchez

17  
18 DATED: May 28, 2008

19 \_\_\_\_\_  
IVAN MORSE  
Attorney for Hector Reynoso

20  
21 Based on the reason provided in the stipulation of the parties above, the Court hereby  
22 FINDS that for adequate preparation of the case by all parties - specifically, to allow the  
23 government to supersede the indictment - pursuant to 18 U.S.C. Sections 3161(h)(8)(A) and  
24 (B)(iv) an exclusion of time is warranted under the Speedy Trial Act. Based on these findings,  
25  
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1 Such continuance is required because a defendant was just added to the indictment and  
2 defense counsel needs an opportunity to review the discovery and determine if any motions  
3 should be filed. This continuance is allowed under Title 18, U.S.C. 3161(b)(7) and  
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MAY-29-2008 09:15 FROM: ROBERT L. FORKNER, AT 2095441860  
05/28/2008 14:30 5106373724  
US ATTORNEYS OFFICE

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16 ROBERT L. FORKNER  
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1 IT IS HEREBY ORDERED THAT the status hearing currently scheduled for May 28,  
2 2008 shall be vacated, and the matter shall be continued for a status hearing to June 24, 2008 at  
3 9:00 a.m.

4 **IT IS SO ORDERED.**

5  
6 DATED: May \_\_\_\_, 2008

7 SAUNDRA BROWN ARMSTRONG  
United States District Judge